

JUDGE MARRERO**09 CV 5710**
ADRMOP, CLOSED, E-Filing, TRANSF

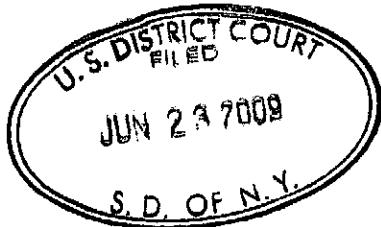
**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:08-cv-05591-SBA
Internal Use Only**

Kavitz v. International Business Machines Corporation
Assigned to: Hon. Saundra Brown Armstrong
Cause: 28:1332 Diversity-Other Contract

Date Filed: 12/16/2008
Date Terminated: 06/02/2009
Jury Demand: Plaintiff
Nature of Suit: 190 Contract: Other
Jurisdiction: Diversity

Plaintiff**David A. Kavitz**

represented by **Alfred Dovbush**
Attorney at Law
98 Main Street
Suite 216
Tiburon, CA 94920
415/924-0808
Fax: 415-435-9969
LEAD ATTORNEY
ATTORNEY TO BE NOTICED



V.

Defendant**International Business Machines Corporation**

represented by **Mitchell F. Boomer**
Jackson Lewis LLP
199 Fremont Street, 10th Floor
San Francisco, CA 94105
415-394-9400
Fax: 415-394-9401
Email: boomer.m@jacksonlewis.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
ATTEST:

RICHARD W. MEERS
Clerk, U.S. District Court
Northern District of California

By _____
Date **JUN 17 2009**

Sarah Christine Young
Jackson Lewis LLP
199 Fremont St.
10th Fl.
San Francisco, CA 94105-2249
415-394-9400 x6320
Fax: 415-394-9401
Email: young.c@jacksonlewis.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/16/2008	1	COMPLAINT / issued summons against International Business Machines Corporation (Filing fee \$ 350, receipt number 34611026578.). Filed by David A. Kavitz. (ga, COURT STAFF) (Filed on 12/16/2008) (Entered: 12/17/2008)
12/16/2008	2	ADR SCHEDULING ORDER: Case Management Statement due by 3/19/2009. Case Management Conference set for 3/26/2009 10:00 AM.. Signed by Judge Maria-Elena James on 12/16/08. (Attachments: # <u>1</u> Standing Order)(ga, COURT STAFF) (Filed on 12/16/2008)

		(Entered: 12/17/2008)
12/16/2008	<u>1</u>	CASE DESIGNATED for Electronic Filing. (ga, COURT STAFF) (Filed on 12/16/2008) (Entered: 12/17/2008)
12/31/2008	<u>2</u>	SUMMONS Returned Executed by David A. Kavitz. International Business Machines Corporation served on 12/29/2008, answer due 1/20/2009. (ga, COURT STAFF) (Filed on 12/31/2008) (Entered: 01/08/2009)
01/16/2009	<u>3</u>	STIPULATION To Extend Time to Respond to Complaint by International Business Machines Corporation. (Young, Sarah) (Filed on 1/16/2009) (Entered: 01/16/2009)
01/30/2009	<u>4</u>	Defendant's Answer to Plaintiff's Complaint ANSWER to Complaint by International Business Machines Corporation. (Boomer, Mitchell) (Filed on 1/30/2009) (Entered: 01/30/2009)
03/11/2009	<u>5</u>	ADR Clerks Notice re: Non-Compliance with Court Order. (tjs, COURT STAFF) (Filed on 3/11/2009) (Entered: 03/11/2009)
03/17/2009	<u>6</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Young, Sarah) (Filed on 3/17/2009) (Entered: 03/17/2009)
03/17/2009	<u>7</u>	Declination to Proceed Before a U.S. Magistrate Judge by International Business Machines Corporation. (Young, Sarah) (Filed on 3/17/2009) (Entered: 03/17/2009)
03/19/2009	<u>8</u>	Certificate of Interested Entities by International Business Machines Corporation (Young, Sarah) (Filed on 3/19/2009) (Entered: 03/19/2009)
03/19/2009	<u>9</u>	JOINT CASE MANAGEMENT STATEMENT and Proposed Order filed by International Business Machines Corporation, David A. Kavitz. (Young, Sarah) (Filed on 3/19/2009) Modified on 5/5/2009 (jlm, COURT STAFF). (Entered: 03/19/2009)
03/23/2009	<u>10</u>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (bjt, COURT STAFF) (Filed on 3/23/2009) (Entered: 03/23/2009)
03/25/2009	<u>11</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Saundra Brown Armstrong for all further proceedings. Judge Magistrate Judge Maria-Elena James no longer assigned to the case. Signed by Executive Committee on 3/25/09. (mab, COURT STAFF) (Filed on 3/25/2009) (Entered: 03/25/2009)
03/25/2009	<u>12</u>	(Court only) ***Deadlines terminated. (jlm, COURT STAFF) (Filed on 3/25/2009) (Entered: 03/26/2009)
03/25/2009	<u>13</u>	(Court only) ***Deadlines terminated. (jlm, COURT STAFF) (Filed on 3/25/2009) (Entered: 03/26/2009)
04/03/2009	<u>14</u>	CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED CIVIL CASES: Case Management Conference set for 5/13/2009 03:00 PM, VIA TELEPHONE. Signed by Judge ARMSTRONG on 4/3/09. (lrc, COURT STAFF) (Filed on 4/3/2009) Modified on 4/6/2009 (jlm, COURT STAFF). (Entered: 04/03/2009)
04/07/2009	<u>15</u>	MOTION to Transfer Case Venue, filed by International Business Machines Corporation. Motion Hearing set for 5/12/2009 1:00 PM in Courtroom 3, 3rd Floor, Oakland. (Young, Sarah) (Filed on 4/7/2009) Modified on 4/8/2009 (jlm, COURT STAFF). (Entered: 04/07/2009)
04/07/2009	<u>16</u>	Request for Judicial Notice re <u>14 Motion to Transfer Case Venue</u> filed by International Business Machines Corporation. (Related document(s) <u>14</u>) (Young, Sarah) (Filed on 4/7/2009) Modified on 4/8/2009 (jlm, COURT STAFF). (Entered: 04/07/2009)
		Declaration of Hugh Flannery in Support of <u>14 Motion to Transfer Case Venue</u> , filed by International Business Machines Corporation. (Related document(s) <u>14</u>) (Young, Sarah) (Filed on 4/7/2009) Modified on 4/8/2009 (jlm, COURT STAFF). (Entered: 04/07/2009)

04/07/2009	17	Proposed Order re <u>14 Motion to Transfer Case Venue</u> filed by International Business Machines Corporation. (Young, Sarah) (Filed on 4/7/2009) Modified on 4/8/2009 (jlm, COURT STAFF). (Entered: 04/07/2009)
04/07/2009	18	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>16 Declaration in Support, 17 Proposed Order, 14 Motion to Transfer Case Venue 15 and Request for Judicial Notice</u> (Young, Sarah) (Filed on 4/7/2009) Modified on 4/8/2009 (jlm, COURT STAFF). (Entered: 04/07/2009)
04/07/2009	19	Set/Reset Deadlines as to <u>14 Motion to Transfer Case Venue</u> . Motion Hearing set for 5/12/2009 01:00 PM in Courtroom 3, 3rd Floor, Oakland. (jlm, COURT STAFF) (Filed on 4/7/2009) (Entered: 04/08/2009)
04/08/2009	20	CLERKS NOTICE Continuing Motion Hearing to 5/19/2009 at 01:00 PM in Courtroom 3, 3rd Floor, Oakland. (lrc, COURT STAFF) (Filed on 4/8/2009) Modified on 4/9/2009 (jlm, COURT STAFF). (Entered: 04/08/2009)
04/21/2009	21	MOTION for Exclusion from Electronic Filing filed by David A. Kavitz. (jlm, COURT STAFF) (Filed on 4/21/2009) (Entered: 04/21/2009)
04/21/2009	22	Memorandum in Opposition re <u>14 Motion to Transfer Case Venue</u> filed by David A. Kavitz. (jlm, COURT STAFF) (Filed on 4/21/2009) (Entered: 04/21/2009)
04/21/2009	23	DECLARATION of David A. Kravitz in Opposition to <u>14 Motion to Transfer Case Venue</u> filed by David A. Kavitz. (Related document(s) <u>14</u>) (jlm, COURT STAFF) (Filed on 4/21/2009) (Entered: 04/22/2009)
05/01/2009	24	ORDER by Judge Saundra Brown Armstrong, GRANTING <u>20</u> Motion to be Excused From Electronic Case Filing (lrc, COURT STAFF) (Filed on 5/1/2009) Modified on 5/5/2009 (jlm, COURT STAFF). (Entered: 05/01/2009)
05/01/2009	25	CASE MANAGEMENT STATEMENT and Proposed Order, filed by International Business Machines Corporation. (Young, Sarah) (Filed on 5/1/2009) Modified on 5/5/2009 (jlm, COURT STAFF). (Entered: 05/01/2009)
05/01/2009	26	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>24 Case Management Statement and Proposed Order</u> (Young, Sarah) (Filed on 5/1/2009) Modified on 5/5/2009 (jlm, COURT STAFF). (Entered: 05/01/2009)
05/05/2009	27	Reply to Opposition <u>14 Motion to Transfer Case Venue</u> filed by International Business Machines Corporation. (Young, Sarah) (Filed on 5/5/2009) Modified on 5/6/2009 (jlm, COURT STAFF). (Entered: 05/05/2009)
05/05/2009	28	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>26 Reply to Opposition</u> (Young, Sarah) (Filed on 5/5/2009) Modified on 5/6/2009 (jlm, COURT STAFF). (Entered: 05/05/2009)
05/13/2009	29	Revised Proposed Order re <u>14 Motion to Transfer Case</u> , filed by International Business Machines Corporation. (Boomer, Mitchell) (Filed on 5/13/2009) Modified on 5/14/2009 (jlm, COURT STAFF). (Entered: 05/13/2009)
05/13/2009	30	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>28 Revised Proposed Order</u> (Boomer, Mitchell) (Filed on 5/13/2009) Modified on 5/14/2009 (jlm, COURT STAFF). (Entered: 05/13/2009)
05/13/2009	31	(Court only) ***Deadlines terminated. (jlm, COURT STAFF) (Filed on 5/13/2009) (Entered: 05/14/2009)
05/13/2009	34	Minute Entry: Initial Case Management Conference held on 5/13/2009 before Judge Saundra Brown Armstrong (Date Filed: 5/13/2009). (Court Reporter: Not Reported) (lrc, COURT STAFF) (Date Filed: 5/13/2009) Modified on 5/26/2009 (jlm, COURT STAFF). (Entered: 05/22/2009)

05/19/2009		(Court only) ***Deadlines terminated. (jlm, COURT STAFF) (Filed on 5/19/2009) (Entered: 05/22/2009)
05/21/2009	<u>30</u>	RESPONSE to <i>Plaintiff's Supplement to Opposition to Motion to Transfer Venue</i> filed by International Business Machines Corporation. (Boomer, Mitchell) (Filed on 5/21/2009) Modified on 5/22/2009 (jlm, COURT STAFF). (Entered: 05/21/2009)
05/21/2009	<u>31</u>	Declaration of S. Christine Young in Support of <u>30</u> Defendant's Response to Plaintiff's <i>Supplement to Opposition to Motion to Transfer Venue</i> filed by International Business Machines Corporation. (Related document(s) <u>30</u>) (Boomer, Mitchell) (Filed on 5/21/2009) Modified on 5/22/2009 (jlm, COURT STAFF). (Entered: 05/21/2009)
05/21/2009	<u>32</u>	Proposed Order re <u>14</u> <i>Motion to Transfer Case Venue</i> filed by International Business Machines Corporation. (Boomer, Mitchell) (Filed on 5/21/2009) Modified on 5/22/2009 (jlm, COURT STAFF). (Entered: 05/21/2009)
05/21/2009	<u>33</u>	CERTIFICATE OF SERVICE by International Business Machines Corporation re <u>32</u> Proposed Order, <u>30</u> Response in Support, <u>31</u> Declaration in Support, (Boomer, Mitchell) (Filed on 5/21/2009) (Entered: 05/21/2009)
05/21/2009	<u>35</u>	Supplemental Memorandum in Opposition re <u>14</u> <i>Motion to Transfer Case Venue</i> filed by David A. Kavitz. (Attachments: # <u>1</u> Proposed Order)(jlm, COURT STAFF) (Filed on 5/21/2009) (Entered: 05/28/2009)
05/21/2009	<u>36</u>	***ERRONEOUS ENTRY, PLEASE IGNORE*** (jlm, COURT STAFF) (Filed on 5/21/2009) Modified on 5/28/2009 (jlm, COURT STAFF). (Entered: 05/28/2009)
06/02/2009	<u>37</u>	ORDER TRANSFERRING CASE to U.S. District Court, Southern District of New York. Signed by Judge Saundra Brown Armstrong, on 6/1/09. (lrc, COURT STAFF) (Filed on 6/2/2009) Modified on 6/3/2009 (jlm, COURT STAFF). (Entered: 06/02/2009)
06/17/2009	<u>38</u>	CLERK'S NOTICE re transmission of certified copy of Transfer Order, certified copy of docket entries and electronic case file documents to USDC for the Southern District of New York. Counsel notified (jlm, COURT STAFF) (Filed on 6/17/2009) (Entered: 06/17/2009)